

REMARKS/ARGUMENTS

The claims have been amended to render moot the 35 USC § 112 rejections, or to more particularly claim the invention. Support for the amendments can be found in various parts of the specification.

Claims 1, 10, 15, 16 and 18-21 stand rejected under 35 USC § 112, second paragraph as being indefinite.

Claim 1 has been rewritten to set forth the correct alternative substitutions for R₂. Regarding claims 18 and 19 "pharmaceutical composition" is now recited. Claim 9 and 10 and have been amended to set forth the treatment directed to "allergic contact dermatitis". Support for this amendment can be found on page 35 under Test Example. Claims 13 and 15-17 have been canceled thereby rendering the rejection moot.

The Examiner has rejected claims 8, 10, 15, 16 and 18-21 for lack of unity of invention whereby the terms "immunomodulating regimens or other anti-inflammatory agents" present a different scope. Applicants respectfully disagree. The specification clearly provides description of use of the compound of the present invention in combination with pharmaceutically active agents which are active in "immunomodulating regimens...anti-inflammatory agents" on page 18, first full paragraph. The rejected claims share the same feature, i.e., the compound of the present invention, with an additional element, i.e., other pharmaceutically active agents for use in treating allergic contact dermatitis. Further the named pharmaceutical agents in further dependent claims include species which fall under the genus of "immunomodulating" agents and "anti-inflammatory agents". Therefore, claims 8, 10, 15, 16 and 18-21 exhibit unity of invention by having a single general inventive concept, i.e., the compound of the present invention.

Claims 9, 10, 13, 15-21 and 26-29 stand rejected under 35 USC § 112, first paragraph is lacking enablement.

Claims 9 and 10 and claims dependent thereon have been amended to recite specific diseases or conditions which are believed to render moot this rejection.


It is submitted that applicants specification and pending claims are in proper form. It is respectfully requested that the rejections of the claims under 35 USC § 112, first and second paragraphs be withdrawn and that pending claims 1-4 and 7-29 be passed to allowance.

Respectfully submitted,

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